IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 21ST NOVEMBER 2007 / 30TH KARTHIKA 1929

Crl.Rev.Pet.No. 2770 of 2005()

CRA.124/2003 OF ADDITIONAL DISTRICT AND SESSIONS JUDGE (AD HOC) FAST TRACKCOURT II PATHANAMTHITTA

CC.280/2001 of JUDL.MAGISTRATE OF FIRST CLASS COURT, RANNI

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REVN. PETITIONER: ACCUSED:

ABDUL SALAM, VELLARA HOUSE,
MANAKAYAM, CHITAR SEETHATHODE VILLAGE,
RANNY TALUK.

BY ADV. SRI.S.SANTOSH KUMAR (PERUNAD)

RESPONDENTS: COMPLAINANT & STATE:

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1. SAJI K.K., PROPRIETOR,
SREE SARA CHITTY FUND,
CHITTAR SEETHATHODE VILLAGE.

2. STATE OF KERALA REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM.

BY ADV. SRI.S.MUHAMMED HANEEFF
PUBLIC PROSECUTOR SRI.C.M.NAZAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 21/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.2770 of 2005

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Dated this the 21st day of November, 2007

ORDER

The accused in C.C.No.280 of 2001 on the file of the Judicial First Class Magistrate, Ranny for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No.12082 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Out of the sum of Rs.20,000/-(Rupees twenty thousand only) deposited before the Trial Court, a sum of Rs.10,000/-(Rupees ten thousand only) will be permitted to be withdrawn by the revision petitioner and the balance amount shall be permitted to be withdrawn by the 1st respondent- complainant.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,JUDGE

sj